

LAW (32)

GOAL-BASED GOVERNANCE PLAN MISSION, GOALS AND BUDGET SUMMARY

AGENCY MISSION:

The mission of the Law Department is to deliver excellent and efficient legal counseling and representation to the Executive and Legislative branches of City government as mandated by the City Charter.

AGENCY GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts and the department's ability to consistently meet all deadlines.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.

AGENCY FINANCIAL SUMMARY:

2001-02 <u>Requested</u>		2000-01 <u>Budget</u>	2001-02 <u>Recommended</u>	Increase (Decrease)
\$ 34,234,141	City Appropriations	\$ 27,661,431	\$ 31,460,007	\$ 3,798,576
\$ 34,234,141	Total Appropriations	\$ 27,661,431	\$ 31,460,007	\$ 3,798,576
\$ 3,983,931	City Revenues	\$ 3,726,332	\$ 3,726,332	\$ -
\$ 3,983,931	Total Revenues	\$ 3,726,332	\$ 3,726,332	\$ -
\$ 30,250,210	NET TAX COST:	\$ 23,935,099	<u>\$ 27,733,675</u>	\$ 3,798,576

AGENCY EMPLOYEE STATISTICS:

2001-02 <u>Requested</u>		2000-01 <u>Budget</u>	4-1-01 <u>Actual</u>	2001-02 <u>Recommended</u>	Increase (Decrease)
219	City Positions	204	188	219	15
219	Total Positions	204	188	219	15

ACTIVITIES IN THIS AGENCY:

	2000-01 <u>Budget</u>	2001-02 <u>Recommended</u>	Increase (Decrease)
Administration and Operations	\$ 26,784,769	\$ 30,441,567	\$ 3,656,798
Legislative Liaison	876,662	1,018,440	141,778
	<u>\$ 27,661,431</u>	<u>\$ 31,460,007</u>	<u>\$ 3,798,576</u>

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GBG ADMINISTRATION AND OPERATIONS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: ADMINISTRATION AND OPERATIONS

The function of this activity is to provide legal services to all branches of the City of Detroit. These services are in the form of researching and writing legal opinions, representing the City, its agencies and employees in a variety of legal proceedings, including condemnation proceedings, civil litigation, criminal prosecution of ordinance violations and claims against the City, reviewing all City contracts, leases, development agreements, indemnity agreements, preparing ordinances and rendering legal advice.

GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts and the department's ability to consistently meet all deadlines.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.

MAJOR INITIATIVES:

The Law Department has undertaken several initiatives in an effort to improve department-client relations and increase client utilization of department services. Included among these initiatives are the following: 1) conducting a client satisfaction survey as the Law Department has done during the past few years, the results of which are shared with the department's managers and staff; 2) the Corporation Counsel and the Deputy Corporation Counsel introduced the Law Department's management team to the managers of its client departments and used this opportunity to describe the type of services the various divisions in the Law Department have to offer; 3) the creation of client outreach teams which consist of a cross-section of the Law Department's managers and staff attorneys from those substantive areas that a particular client department utilizes; and 4) the conduct by Law attorneys of client education and risk management programs and seminars.

These initiatives are an attempt to better educate the client departments and to encourage them to make the Law Department a partner in their business. The idea is to involve the department's lawyers early on in the policy development or business negotiations of its clients in order to avoid problems, risks and delays in client projects and initiatives. The client satisfaction survey, client comments, client outreach teams and client education programs will enable Law Department management to monitor how well the department is accomplishing its goals and to recognize areas where the Law Department can improve its service to its clients.

In order to further the Mayor's cornerstone of financial solvency, the Law Department has improved its efforts to educate and inform client departments when conditions which give rise to liability are discovered. Each section of the Law Department has procedures in place to inform client departments of conditions, procedures or policies which may create risk for the client, as identified by Law attorneys during the performance of their daily practice. On occasion, the Law Department will offer its services once it discovers that a client is embarking on a major policy or procedure initiative.

The Law Department has also initiated an aggressive program to fully capture the time its staff members spend on client matters. In April, 1997, the department switched from a bi-monthly timekeeping system to a daily system. This allows Law Department management to address staff members who are delinquent in their time summary preparation in a more efficient manner. The Law Department is also committed to providing more timely, accurate and detailed billings to its client departments.

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By standardizing the department procedures for calendaring, file creation, preparation and closure, and trial preparation, the Law Department will be better able to monitor the quality and quantity of the work performed by department professionals. These processes will also assist in more accurate data for reserve and claims reporting. Other department initiatives include completion of litigation docketing system and department-wide calendaring; augmented department tickler system; general and section-specific standards and guidelines for (a) creation and maintenance of files in active cases and client matters, and (b) closeout of files in cases and client matters that have been finally concluded; department manual containing standards and guidelines for records and files creation, maintenance and archiving; protocols for trial readiness and checklists for various phases of litigation; checklists and Standard Operating Procedures for transactional work.

Continuing Legal Education (CLE) is a requirement for some attorneys and will soon be extended to all members of the profession. CLE is necessary in order to provide the Law Department's clients with the highest quality legal service available and may contribute to the reduction in the Law Department's need for outside counsel in some areas. Related projects include: review available training programs and implementation of a training schedule for support staff; conduct annual training needs survey of attorneys, legal assistants, and clerical support staff; use survey results to drive training programs and to serve as a baseline for targets; inventory and augmentation of library reference materials in essential practice areas; develop training module for different levels/seniority of attorneys, legal assistants and clerical support staff; promulgate formal department policy regarding participation by attorneys, legal assistants and staff in legal organizations and approved pro bono activities. Of particular note in this regard is the emphasis which the Law Department is now placing on the training of department managers in effective relations with and management of staff and employees. All attorney and staff managers have been required to attend the City's Supervisors Academy, and the department has sponsored a special one-day management-training seminar conducted by Dunn & Bradstreet. Individual managers have been sent to individual management programs offered in areas identified for improvement. Furthermore, aside from building management and supervisorial skills vis-a-vis staff, the department has also focused on teambuilding among managers vis-a-vis each other. During 1995-1998 the department conducted mandatory full-day off-site management retreats, facilitated by a retained consultant, for this purpose. The department will continue with this event. The department is currently in the process of installing and training all department personnel in the use of a new computerized records and files management system. The records management computer software allows for activation of Law's department-wide records management system, which features a centralized records facility with storage equipment and staff, standardized records containers, standardized records/files procedures, and greater emphasis on support of attorneys in management of their voluminous pleadings, papers and files. During FY 2000 Law completed the design and test installation of a new automated case management system for the tracking of claims and litigation cases. Installation and training of all department personnel in the use of this case management system and litigation support system, allowing for full text storage and retrieval of transcripts and testimonies, will be completed in FY 2002.

PLANNING FOR THE FUTURE:

The Law Department strategic initiatives for the next five years should encompass the following business objectives: 1) continued emphasis on substantive skills training of attorneys, legal assistants, claims investigators and legal secretaries to better equip them to perform their jobs; 2) continued emphasis on management training and effective departmental management; 3) continued focus on effective client service and client relations, including risk management counseling and timely completion of client assignments and counseling requests; 4) continuation of joint labor-management ventures designed to improve labor and management relations and employee morale throughout the department; 5) further refinement of performance evaluation tools and process for reinforcement of satisfactory performance and identification of training needs and areas for improvement; 6) revision of documentation of all administrative, business and law practice operations and processes in the department; 7) completion of implementation of five-year technology plan, with continued integration of advanced computerized records management, case management and litigation support systems into its operations and processes; 8) continued integration of department legal assistants as support for the attorney's law practice; and 9) maintenance of a professional physical and work environment conducive to a high-quality municipal law practice.

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GBG ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS

Goals: Measures	1998-99 Actual	1999-00 Actual	2000-01 Projection	2001-02 Target
Maximize and monitor the level of client satisfaction:				
Client training workshops ¹	49	34	40	41
Number of face-to-face client contacts to assess client needs ²	34	7	37	40
Percentage of clients rating department services satisfactory or better	71%	--	70%	95%
Percent "plain English" documents	95%	100%	100%	100%
Provide effective, ongoing and proactive advice to departments:				
Number of risk management reports	9	22	57	50
Reporting of allegedly defective conditions ³	100%	100%	100%	100%
Clients' risk management training initiated	17	34	40	41
Ensure attorney preparedness for all proceedings and client contacts and the department's ability to meet all deadlines:				
Settlement write-ups completed within 10 days of agreement	66%	80%	90%	100%
Number of cases not properly prepared by assigned trial date	0	0	0	0
Number of missed-deadline sanctions imposed	19	10	2	0
Number of late filings due to attorney error	7	16	2	0
Number of defaults due to attorney error	0	2	4	0
Percent of timely responses to written assignments	72%	61%	70%	90%
Number of premium settlements due to lack of preparedness	0	0	0	0
Accuracy of assignment, activity & reserves statistics	90%	90%	90%	100%
Provide continuous professional skills training to all lawyers and staff:				
Percentage of professional staff attending at least one external training program per year	50%	55%	55%	100%

¹For these measures, the following constitute sections within the department: Litigation, Labor/WC, 36th District Court, Claims, Municipal, Contracts, Tax/RC, Property/Environmental and Appeals for a total of 9 sections.

²Major client agencies are: Mayor's Office, City Council, Police, Public Works, Transportation, Water and Sewerage, Planning and Development, Buildings and Safety Engineering, Finance, Public Lighting, Human Resources, Fire, Recreation, Budget, Zoo, Health, Municipal Parking, and Civic Center for a total of 18.

³pre-litigation claims and all litigation actions, to client departments and Risk Management

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GBG ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS (Continued)

Goals: Measures	1998-99 Actual	1999-00 Actual	2000-01 Projection	2001-02 Target
Maximize the City's financial position through aggressive collection of City revenues, effective representation in claims and litigation, and effective and timely advice and representation in commercial and development transactions:				
Collection opportunities (fees, costs or sanctions) ¹	\$ 19,000	\$ 95,577	\$ 67,500	\$ 100,000
Total levels of revenue collections ²	\$11,155,199	\$7,899,875	\$16,837,812	\$22,525,000
Bankruptcy collections	\$ 506,436	\$ 859,000	\$ 1,000,000	\$ 1,500,000
Municipal Parking collections	\$ 128,070	\$1,043,973	\$ 1,000,000	\$ 1,000,000
Income Tax collections (civil and criminal)	\$ 385,772	\$ 201,922	\$ 3,000,000	\$ 3,000,000
General accounts receivable amounts collected	\$ 62,143	\$ 32,360	\$ 75,000	\$ 100,000
Delinquent Utility User taxes collected	\$ 4,500,000	\$2,045,000	\$ 1,500,000	\$ 1,000,000
Property Tax Collections	\$ 4,912,927	\$3,602,286	\$10,000,000	\$15,000,000
Days between referral and collection initiation	30-45	30-45	30-60	30-60
Number of cases disposed of without payout (includes labor and workers (compensation)	286	478	500	530
Participation in business development/expansion transactions	90	128	130	160
Participation in City/related entities' bond transactions	5	3	1	5
Bonds/Insurance Certificates Reviewed	1,232	916	760	925
Involvement in City commercial transactions ³	2,648	1,805	1,744	1,850
Development agreements	90	128	130	160
Acquisition deed proceedings	30	26	30	30
Land contract collection actions	40	2	20	300

¹Includes judgments for the City; Court discretion on awards and amounts limits ability to increase collection amounts.

²Includes collections of bankruptcy, municipal parking, income tax, property tax, general accounts receivable, general fees and utility user tax delinquencies; and environmental cost recoveries.

³Contracts Section/Commercial Division: including advice/counseling, negotiation, contract drafting and review for substance and form for standard and non-standard contracts.

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GBG ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS (Continued)

Goals:	1998-99	1999-00	2000-01	2001-02
Measures	Actual	Actual	Projection	Target
Total amount of settlements paid against City	\$40,358,519	\$41,165,302	\$37,830,000	\$33,000,000
Total amount of arbitration paid against City	\$ 9,625,924	\$ 3,407,250	\$ 9,500,000	\$ 4,000,000
Total amount of judgments paid against City	\$ 7,782,591	\$ 6,922,485	\$ 7,000,000	\$ 8,000,000
Number of cases handled by outside counsel ¹	85	118	275	300
Delinquent Property Tax Cases Referred	781	1,588	4,500	9,000
Property Tax Payment Plans Adopted	151	131	1,500	3,000
Foreclosure cases pending (close of fiscal year)	429	186	600	1,200
Foreclosure cases filed	824	435	1,500	3,000
Foreclosure cases closed	825	891	2,250	4,500
Parcels taken	322	174	600	1,200
SEV/Title taken	2,021,708	1,731,376	6,000,000	12,000,000
Total tax cases filed in court	843	491	2,100	3,600
Tax Tribunal Cases Pending (close of fiscal year)	207	279	330	380
Tax Tribunal Cases Filed	9	75	100	125
Tax Tribunal Cases Closed	7	42	50	75
Industrial Facility Exemption Certificates	41	17	20	25
Total Number of Cases pending at start of fiscal year	1,130	1,154	1,180	1,280
Total number of trials	57	67	90	100
Total number of appeals pending (close of fiscal year)	68	63	62	63
FOIA requests – all	1,907	1,924	1,975	2,125
Warrants reviewed - ordinance enforcement	7,441	7,948	7,813	8,250
Municipal opinions rendered (written and oral) (covering Municipal Affairs Section)	2,409	2,265	2,350	2,400
Contracts opinions rendered (written and oral)	834	378	350	380
Labor cases to arbitration	58	65	72	80
Labor MERC cases	23	24	27	30
EEOC & MDCR claims	5	6	6	8
Worker Compensation redemptions	\$3,843,556	\$5,914,782	\$7,986,000	\$9,986,000
Civil service grievances	8	16	18	23

¹Cases which are contracted out for reasons other than conflicts and applicable insurance coverage, whether the city is a plaintiff or defendant. FY 01 and FY 02 statistics include multiple condemnation cases involved in large-scale development projects.

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Goals: Measures	1998-99 Actual	1999-00 Actual	2000-01 Projection	2001-02 Target
Veterans preference hearings	7	2	5	2
Water Department contractor claims	5	7	7	7
Water Department opinions rendered	50	99	127	127
Water Department damage claims hearings	20	19	20	20
DWSD Property Damage Cases pending (close of fiscal year)	16	19	15	15
DWSD Property Damage Cases Filed	32	36	30	30
DWSD Property Damage Cases Closed	20	8	15	15
Disputed Water Bill Appeals – Cases Pending (close of fiscal year)	3	16	15	15
Subpoenas	752	837	745	800
General Municipal Work (Ordinances, Resolutions, Executive Orders)	246	341	415	460
Municipal Public Hearings / Formal meetings	1,248	1,190	1,290	1,325
Municipal – Administrative Proceedings	20	10	15	20
Police Trial Board Cases	N/A	689	1,416	1,828
Information requests handled by Police Legal Advisors	N/A	1,184	800	800
Appearance notices handled by Police Legal Advisors	N/A	1,275	1,500	1,500
Labor/Employment Investigations	N/A	30	40	50
Activity Costs	\$25,238,568	\$26,564,612	\$26,784,769	\$30,441,567

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Administration	2000-01 Redbook		2001-02 Dept Final Request		2001-02 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Administration and Operations						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
00527 - Administration and Operations						
320010 - Administration	204	\$26,784,769	220	\$33,212,029	219	\$30,441,567
APPROPRIATION TOTAL	204	\$26,784,769	220	\$33,212,029	219	\$30,441,567
ACTIVITY TOTAL	204	\$26,784,769	220	\$33,212,029	219	\$30,441,567

CITY OF DETROIT
Budget Development for FY 2001 - 2002
Appropriations - Summary Objects

	2000-01 Redbook	2001-02 Dept Final Request	2001-02 Mayor's Budget Rec
AC0532 - Administration			
<i>A32000 - Law Department</i>			
SALWAGESL - Salary & Wages	11,398,885	14,263,836	12,965,445
EMPBENESL - Employee Benefi	5,397,283	6,931,939	6,470,370
PROFSVCSL - Professional/Con	5,445,400	7,004,700	5,698,738
OPERSUPSL - Operating Suppli	388,756	389,682	389,682
OPERSVCSL - Operating Servic	3,807,205	4,164,313	4,457,373
CAPEQUPSL - Capital Equipmei	242,240	345,559	347,959
OTHEXPSSL - Other Expenses	105,000	112,000	112,000
<i>A32000 - Law Department</i>	<i>26,784,769</i>	<i>33,212,029</i>	<i>30,441,567</i>
AC0532 - Administration	26,784,769	33,212,029	30,441,567
Grand Total	26,784,769	33,212,029	30,441,567

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GBG LEGISLATIVE LIAISON ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: LEGISLATIVE LIAISON

The City of Detroit engages the services of a legislative liaison in Lansing and in Washington, D.C. The appropriation pays for an office in Lansing and a contract for services in Washington. The Mayor's Office provides the oversight of these contracts.

ACTIVITY GOALS:

1. Represent the City's interest in all federal and state legislative matters pertaining to or having an effect upon the City of Detroit.
2. Keep the City Administration informed of the latest legislative attitudes and actions on matters pertaining to or having an effect upon the City of Detroit.

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Lansing Office	2000-01		2001-02		2001-02	
Legislative Liaison	Redbook		Dept Final		Mayor's	
			Request		Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
00255 - Legislative Liaison						
320030 - Lansing Office	0	\$617,912	0	\$722,112	0	\$718,440
320040 - Federal Legislative Services	0	\$258,750	0	\$300,000	0	\$300,000
APPROPRIATION TOTAL	0	\$876,662	0	\$1,022,112	0	\$1,018,440
ACTIVITY TOTAL	0	\$876,662	0	\$1,022,112	0	\$1,018,440

CITY OF DETROIT
Budget Development for FY 2001 - 2002
Appropriations - Summary Objects

	2000-01 Redbook	2001-02 Dept Final Request	2001-02 Mayor's Budget Rec
AC1032 - Legislative Liaison			
<i>A32000 - Law Department</i>			
EMPBENESL - Employee Benefi	3,672	3,672	0
PROFSVCSL - Professional/Con	804,550	950,000	950,000
OPERSUPSL - Operating Suppli	5,140	5,140	5,140
OPERSVCSL - Operating Servic	63,300	63,300	63,300
<i>A32000 - Law Department</i>	<i>876,662</i>	<i>1,022,112</i>	<i>1,018,440</i>
AC1032 - Legislative Liaison	876,662	1,022,112	1,018,440
Grand Total	876,662	1,022,112	1,018,440

CITY OF DETROIT
Budget Development for FY 2001 - 2002
Appropriation Summary - Revenues

	1999-00 Actuals	2000-01 Redbook	2001-02 Dept Final Request	2001-02 Mayor's Budget Rec	Variance
A32000 - Law Department					
<i>00094 - Administration and Operation</i>					
448115 - Other Fees	38,133	0	0	0	0
449175 - Personal Services	678,078	0	0	0	0
<i>00094 - Administration and Operation</i>	716,211	0	0	0	0
<i>00527 - Administration and Operations</i>					
432360 - Grants-Other-State(Fec	12,836	0	0	0	0
449125 - Personal Services	(1,268,600)	0	0	0	0
449160 - Personal Services-Airp	0	40,000	40,000	40,000	0
449175 - Personal Services	0	800,000	1,057,599	800,000	0
449190 - Personal Services -H	119,658	575,000	575,000	575,000	0
449200 - Personal Services-Mpd	0	100,000	100,000	100,000	0
449205 - Personal Services	1,407	10,000	10,000	10,000	0
449215 - Personal Services	0	1,250,000	1,250,000	1,250,000	0
449220 - Personal Services -	1,300,000	856,332	856,332	856,332	0
464100 - Sales Of City Real Proj	14	0	0	0	0
474100 - Miscellaneous Receipts	149,496	95,000	95,000	95,000	0
<i>00527 - Administration and Operations</i>	314,811	3,726,332	3,983,931	3,726,332	0
<i>06915 - Bryne Memorial Formula Grant</i>					
432330 - Grants-Other	28,209	0	0	0	0
432340 - Grants-Other -F	9,616	0	0	0	0
<i>06915 - Bryne Memorial Formula Gar</i>	37,825	0	0	0	0
<i>10206 - Drug Enforcement Prosecution</i>					
432330 - Grants-Other	49,776	0	0	0	0
<i>10206 - Drug Enforcement Prosecutio</i>	49,776	0	0	0	0
A32000 - Law Department	1,118,623	3,726,332	3,983,931	3,726,332	0
Grand Total	1,118,623	3,726,332	3,983,931	3,726,332	0

CITY OF DETROIT
MAYOR'S 2001/2002 RECOMMENDED BUDGET

Law Department

Appropriation	REDBOOK FY	DEPT REQUEST	MAYORS FY
Organization	2000 2001 FTE	FY 2001 2002 FTE	2001 2002 FTE
Classification			
00527 - Administration and Operations			
320010 - Administration			
Corp Counsel - Election Comm	1	1	1
Deputy Corporation Counsel	1	1	1
General Manager - Law	1	1	1
Admin Asst GD II - Law	2	0	2
Executive Legal Secretary	1	1	1
Executive Secretary II	1	1	1
Chief Asst Corporation Counsel	7	7	7
Supervising Asst Corp Counsel	13	14	15
Senior Counsel	3	5	6
Senior Litigator	5	5	5
Legislative Asst Corp Counsel	1	1	1
Prin Asst Corporation Counsel	18	18	18
Sr Asst Corporation Counsel	17	18	19
Sr Asst Corp Counsel Exempted	0	0	2
Assistant Corporation Counsel	40	40	38
Librarian IV - Law Reference	1	1	1
Records Manager	1	1	1
Head Legal Investigator	1	1	1
Legal Investigator	9	9	9
Microcomputer Support Spec	1	0	1
Para-Legal Assistant	19	19	24
Senior Legal Secretary	7	8	7
Legal Secretary	37	40	40
Principal Clerk	2	2	2
Senior Clerk	3	3	3
Clerk	9	10	9
Typist	2	2	2
Messenger	1	1	1
Computer Support Spec-Election	0	1	0
Para-Legal Assistant - PH	0	7	0

CITY OF DETROIT
MAYOR'S 2001/2002 RECOMMENDED BUDGET

Law Department

Appropriation	REDBOOK FY		DEPT REQUEST		MAYORS FY	
Organization	2000	2001 FTE	FY 2001	2002 FTE	2001	2002 FTE
Classification						
<hr/>						
00527 - Administration and Operations						
320010 - Administration						
Manager II - Law		0		2		0
Total Administration		204		220		219
Total Administration and Operations		204		220		219
Agency Total		204		220		219